

EXHIBIT 3

John A. Morris

From: John A. Morris
Sent: Friday, August 12, 2022 5:37 PM
To: 'Bill Gameros'
Cc: Hayley R. Winograd; LuCretia Milam; Wade Carvell
Subject: RE: NexPoint REP Proof of Claim No. 146

Obviously, your statement doesn't make a lot of sense since just last week we negotiated an amendment to the scheduling order so that you could retain an expert. So "the interim" has to be defined in the last few days.

But I'll pass this along, Bill, and let you know next week whether Highland will oppose.

Have a good weekend.

Regards,

John

-----Original Message-----

From: Bill Gameros [mailto:bgameros@legaltx.com]
Sent: Friday, August 12, 2022 5:22 PM
To: John A. Morris <jmorris@pszjlaw.com>
Cc: Hayley R. Winograd <hwinograd@pszjlaw.com>; LuCretia Milam <lmilam@legaltx.com>; Wade Carvell <wcarvell@legaltx.com>; Bill Gameros <bgameros@legaltx.com>
Subject: RE: NexPoint REP Proof of Claim No. 146

John,

I am not sure we necessarily agree as to what you are "entitled to," but NREP filed the Claim long before the Plan was filed or confirmed, things have changed in the interim, and the LLC has operated without the interference that had been anticipated at the time the Claim was filed (at the deadline). Given that, and the uncertainty and costs of pursuing the Claim for another three months, NREP has decided to withdraw the Proof of Claim.

Because we need to do so with a motion, we are asking if you object to withdrawing the claim.

Thank you,

Bill

Charles W. Gameros, Jr., P.C.
Hoge & Gameros, L.L.P.
6116 North Central Expressway, Suite 1400 Dallas, Texas 75206
Telephone: (214) 765-6002
Facsimile: (214) 559-4905

-----Original Message-----

From: John A. Morris <jmorris@pszjlaw.com>
Sent: Friday, August 12, 2022 4:04 PM
To: Bill Gameros <bgameros@legaltx.com>

Cc: Hayley R. Winograd <hwinograd@pszjlaw.com>; LuCretia Milam <lmilam@legaltx.com>; Wade Carvell <wcarvell@legaltx.com>
Subject: RE: NexPoint REP Proof of Claim No. 146

But why, Bill?

What has happened that caused your client to decide not to pursue a claim that it has forced the estate to spend a substantial sum of money over an 12-month period?

We've gone through two rounds of discovery, multiple depositions and -- of course -- an entire disqualification motion with Wick Phillips.

We're entitled to a substantive explanation.

Will one be forthcoming?

John

-----Original Message-----

From: Bill Gameros [mailto:bgameros@legaltx.com]
Sent: Friday, August 12, 2022 4:54 PM
To: John A. Morris <jmorris@pszjlaw.com>
Cc: Hayley R. Winograd <hwinograd@pszjlaw.com>; LuCretia Milam <lmilam@legaltx.com>; Wade Carvell <wcarvell@legaltx.com>; Bill Gameros <bgameros@legaltx.com>
Subject: RE: NexPoint REP Proof of Claim No. 146

John,

We understand.

The client does not want to pursue the claim any further.

Please let us know.

Thank you,

Bill

Charles W. Gameros, Jr., P.C.
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6116 North Central Expressway, Suite 1400 Dallas, Texas 75206
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-----Original Message-----

From: John A. Morris <jmorris@pszjlaw.com>
Sent: Friday, August 12, 2022 3:46 PM
To: Bill Gameros <bgameros@legaltx.com>
Cc: Hayley R. Winograd <hwinograd@pszjlaw.com>; LuCretia Milam <lmilam@legaltx.com>; Wade Carvell <wcarvell@legaltx.com>
Subject: Re: NexPoint REP Proof of Claim No. 146

We will confer with our client and get back to you, although not likely today.

Given the timing, we are not extending further the time to file an expert report.

So I can explain to my client, why is HCRE doing this now?

John

Sent from my iPhone

On Aug 12, 2022, at 4:42 PM, Bill Gameros <bgameros@legaltx.com> wrote:

John,

We are going to file a motion to withdraw Proof of Claim No. 146 For purposes of conference, does your client oppose our withdrawal of the Proof of Claim?

Thank you,

Bill

Charles W. Gameros, Jr., P.C.
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